

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CYWEE GROUP, LTD.,

Plaintiff,

v.

HTC CORPORATION, et al.,

Defendants.

CASE NO. C17-0932JLR

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable
James L. Robart:

Before the court is the parties' September 27, 2024 joint status report. (JSR (Dkt.
190).) In that report, CyWee Group Ltd. ("CyWee") proposes a trial date and pretrial
schedule. (*Id.* at 6-7.) Defendants HTC Corporation and HTC America, Inc. (together,
"HTC"), however, urge the court to stay discovery and entry of a case schedule until the
court "issues an order resolving the parties' standing dispute[.]" (*Id.* at 7, 15; *see also id.*
at 10 (asserting that CyWee's claims should be dismissed because "CyWee does not own

1 the software at issue and does not have standing to sue”).) Although nearly a month has
2 passed since the parties filed their joint status report, HTC has not moved to dismiss
3 CyWee’s claims for lack of standing. (*See generally* Dkt.)

4 The court agrees with HTC that it is appropriate to delay setting a trial date and
5 pretrial schedule until the jurisdictional issue of standing is resolved. The court will not,
6 however, wait indefinitely for HTC to file a motion challenging CyWee’s standing to
7 pursue its claims in this court. Therefore, the court ORDERS HTC to file its motion to
8 dismiss CyWee’s claims for lack of standing, if any, by no later than **November 21,**
9 **2024.** The motion, if any, shall be noted and briefed as a 28-day motion pursuant to
10 Local Civil Rules 7(d)(4) and 7(e)(4). *See* Local Rules W.D. Wash. LCR 7(d)(4),
11 7(e)(4). The court STAYS entry of a pretrial schedule pending its resolution of HTC’s
12 motion to dismiss. If HTC does not timely file a motion to dismiss in accordance with
13 this order, the court will enter a pretrial schedule on or after November 22, 2024.

14 Filed and entered this 21st day of October, 2024.

15 RAVI SUBRAMANIAN
16 Clerk of Court

17 s/ Ashleigh Drecktrah
18 Deputy Clerk
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